

**MINUTES OF REGULAR PLANNING BOARD MEETING OF JANUARY 10, 2011
Held at 7:00 p.m., Planning Board Meeting Room #315, Town Office Building
400 Slocum Road, Dartmouth, MA**

Planning Board

Mr. John V. Sousa, Chairman
Mr. John P. Haran, Vice Chairman
Mr. Joseph E. Toomey, Jr., Clerk
Mrs. Lorri-Ann Miller
Mr. Arthur C. Larrivee

Planning Staff

Mr. Donald A. Perry, Planning Director
Mrs. Joyce J. Couture, Planning Aide

The Chairman called the meeting to order at 7:03 p.m. with three Planning Board members and Planning staff present. Mrs. Miller and Mr. Toomey arrived a few minutes late.

Administrative Items

(1) Approval of Minutes

Regular Meeting of December 20, 2010

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran for discussion, and unanimously voted (3-0) to approve the minutes of the regular Planning Board meeting of December 20, 2010 as written.

(2) Invoices

W.B. Mason dated January 2011 for \$281.26
re: computer equipment, meeting room wall clock

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted (3-0) to approve payment of the W.B.Mason invoice in the amount of \$281.26 dated January 2011.

(3) Correspondence

Legal Notices from City of Fall River
Legal Notices from Town of Westport
Legal Notices from Conservation Commission

A motion was made by Mr. Larrivee, duly seconded by Mr. Haran, and unanimously voted (3-0) to acknowledge and file the above referenced correspondence.

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Mrs. Miller arrived at this time being 7:05 p.m.

(4) Endorsement of Approval Not Required (ANR) Plans

Marsha Carter

Morton Avenue

dated December 21, 2010

The Planning Director stated that this ANR is for property located on Morton Avenue. It creates one new buildable lot and one lot with an existing residence. The lot with the existing residence meets the frontage and area requirements of the General Residence District. The new buildable lot received a variance for area which is 13,800 square feet where 15,000 square feet is required by zoning. He noted the variance is referenced on the plan and it can be endorsed.

A motion was made by Mr. Haran, duly seconded by Mrs. Miller, and unanimously voted (4-0) to endorse the ANR plan prepared for Marsha Carter for property located on Morton Avenue dated December 21, 2010.

Mr. Toomey arrived at this time being 7:06 p.m.

(7) Update on Project Timeline Chart

The Planning Director was asked to provide additional charts showing all the zoning bylaws that he is working on for other departments.

(8) Approval of municipal assistance request to SRPEDD for Dartmouth Route 6 Gateway Study

The Planning Director mentioned the municipal assistance request form for SRPEDD regarding the Route 6 Gateway Study is ready for signature. He said the documentation includes the goal statement and the proposed scope of work. He noted the Director of Development, Deborah Wender, has signed as the Select Board's delegate, and the Planning Board's delegate, Lorri-Ann Miller, also needs to endorse the request form.

A motion was made by Mr. Larrivee, duly seconded by Mr. Toomey, and unanimously voted (5-0) to authorize the Planning Board's delegate to sign the municipal assistance request to SRPEDD for the Dartmouth Route 6 Gateway Study project.

(9) Approval of Planning Board's Annual Town Report for 2010

Brief discussion ensued on the draft Planning Board Annual Report for 2010 as prepared by Planning Staff.

A motion was made by Mrs. Miller, duly seconded by Mr. Haran, and unanimously voted (5-0) to approve the Planning Board's Annual Report for 2010 as modified.

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PLANNING BOARD ANNUAL REPORT FOR 2010

PLANNING BOARD

John V. Sousa, Chairman	Term Expires 2013
John P. Haran, Vice-Chairman	Term Expires 2015
Joseph E. Toomey, Jr., Clerk	Term Expires 2014
Lorri-Ann Miller	Term Expires 2011
Arthur C. Larrivee	Term Expires 2012
Kathleen DelSordo, Alternate Member	Term Expires 2011

PLANNING STAFF

Donald A. Perry, AICP	Planning Director
Joyce J. Couture	Planning Aide

OVERVIEW

The development statistics for subdivisions reviewed by the Planning Board in the year 2010 indicated a slight increase of new lots in Dartmouth for the year. The total number of new lots created in 2010 was 39, up from 35 in 2009. This total includes Definitive Subdivision lots and ANR lots. It does not include any 40B lots approved by the Board of Appeals. Although, Definitive Subdivision lots decreased from 18 in 2009 to 16 in 2010, the number of ANR lots increased from 17 to 23. Overall the short-term trend indicates a leveling of the development recession. With regard to commercial development, as represented by parking spaces reviewed, there was a decrease from 308 in 2009 to 101 in 2010. This was the lowest number of parking spaces reviewed in the last ten years.

While development has slowed considerably compared to past years, the Planning Board has taken this opportunity to update the Zoning ByLaws. In January, Special Town Meeting adopted a new Village Business District zoning bylaw. This bylaw was created by the Padanaram Village Review Committee, which was established by the Planning Board two years ago in response to a recommendation contained in the Town's Master Plan. The Committee consisted of volunteers representing such varied interest groups as landowners, residents, and businessmen. The Committee was given the responsibility by the Planning Board to advise the Planning Board on zoning for Padanaram Village. The success of the bylaw was not the only benefit of establishing the Padanaram Village Review Committee. The Committee has expressed an interest in continuing discussion on issues which have an impact on the future of Padanaram Village.

Another Planning Board accomplishment was the creation and adoption at Fall Town Meeting of a new Office Industrial Zoning District from land that was zoned Limited Industrial on Faunce Corner Road, north of the railroad tracks. The Office Industrial Zoning District encourages more office/medical uses and the development standards are designed to promote quality development. One of the recommendations of Dartmouth's Master Plan was to encourage "high-end" office uses on northern Faunce Corner Road. This bylaw will help accomplish that goal.

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In addition to their Planning Board duties, Board members served on behalf of the Planning Board in the following capacities: Lorri-Ann Miller served as the Planning Board's delegate to the SRPEDD Commission; John Haran served on the Smart Growth Committee which has been reviewing the Chapter 40R "Village at Lincoln Park" and the Charter Review Committee; Joseph E. Toomey, Jr. served on the Soil Conservation Board; John Sousa served on the Affordable Housing Partnership, the Community Preservation Committee, and the Community Development Group; and Arthur Larrivee served on the Alternate Energy Committee and the Agricultural Preservation Trust Council.

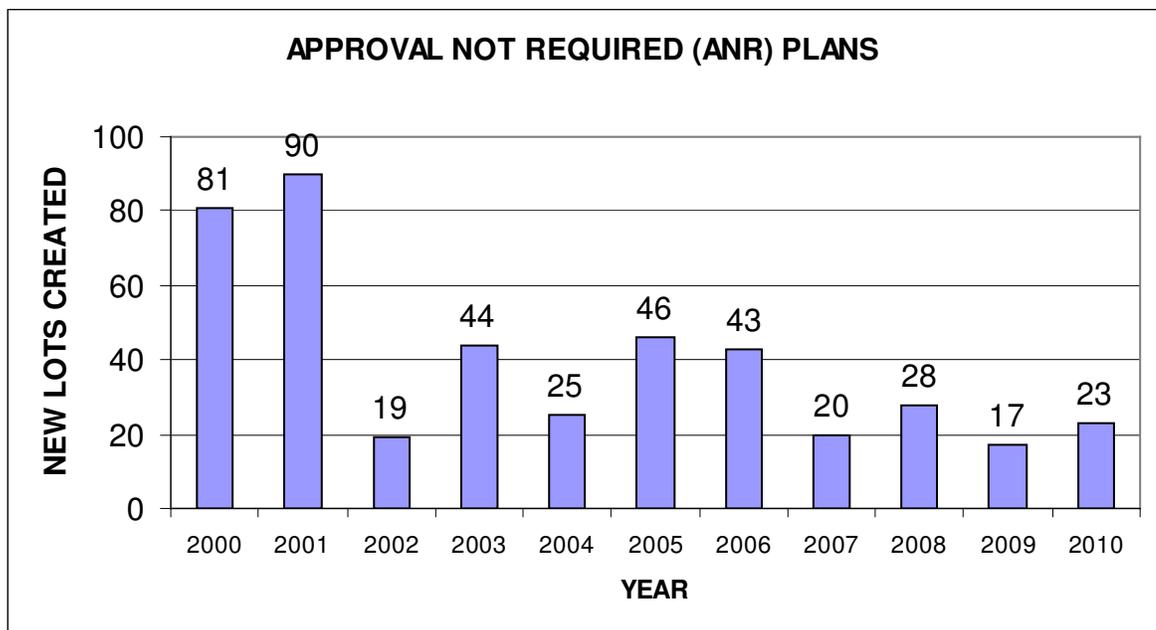
Former Planning Board member, Kathleen DeSordo, was reappointed to serve as alternate Planning Board member for Special Permits. The alternate member is appointed by the Planning Board and is only requested to serve when a regular Planning Board member is unable to participate on a Special Permit application.

Throughout 2010, the Planning Board and/or its staff continued their reviews and activities in the following areas:

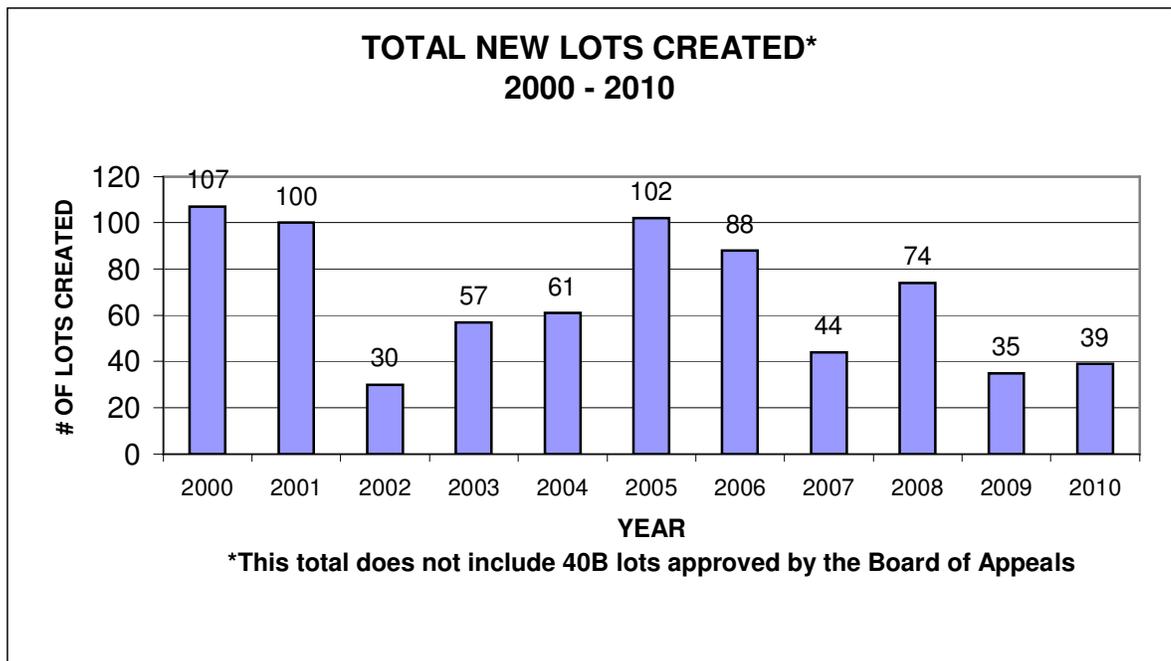
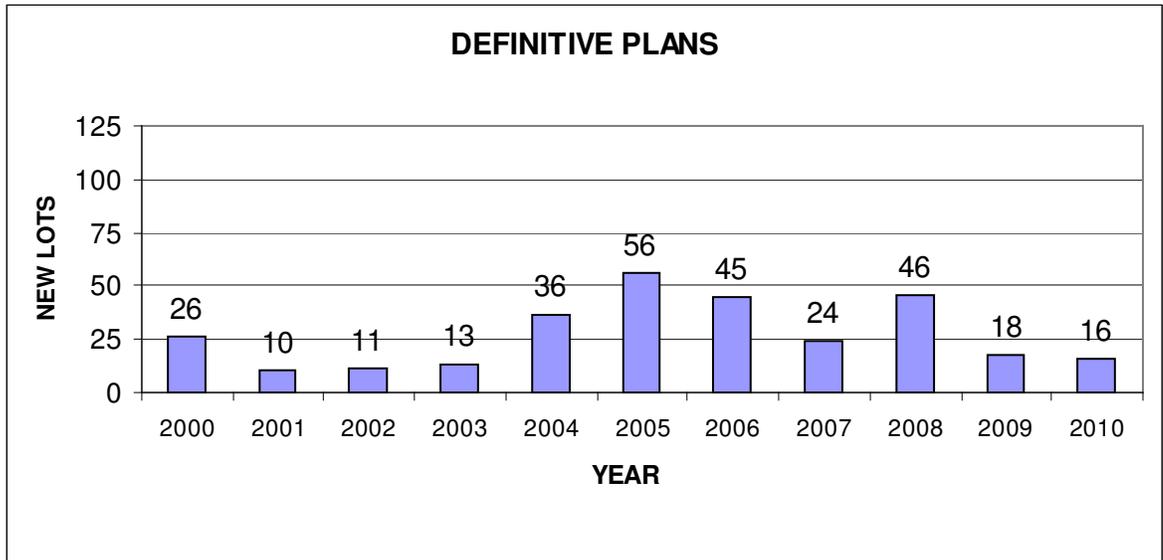
- * Reviewing subdivision plans and monitoring subdivision sureties;
- * Reviewing parking plans and special permit requests;
- * Reviewing variances submitted to the Board of Appeals;
- * Reviewing Conservation Commission Notices of Intent;
- * Preparing reports and recommendations to Town Meeting; and
- * Providing technical assistance and information to citizens, Town committees, and developers.

SUBDIVISION AND COMMERCIAL DEVELOPMENT

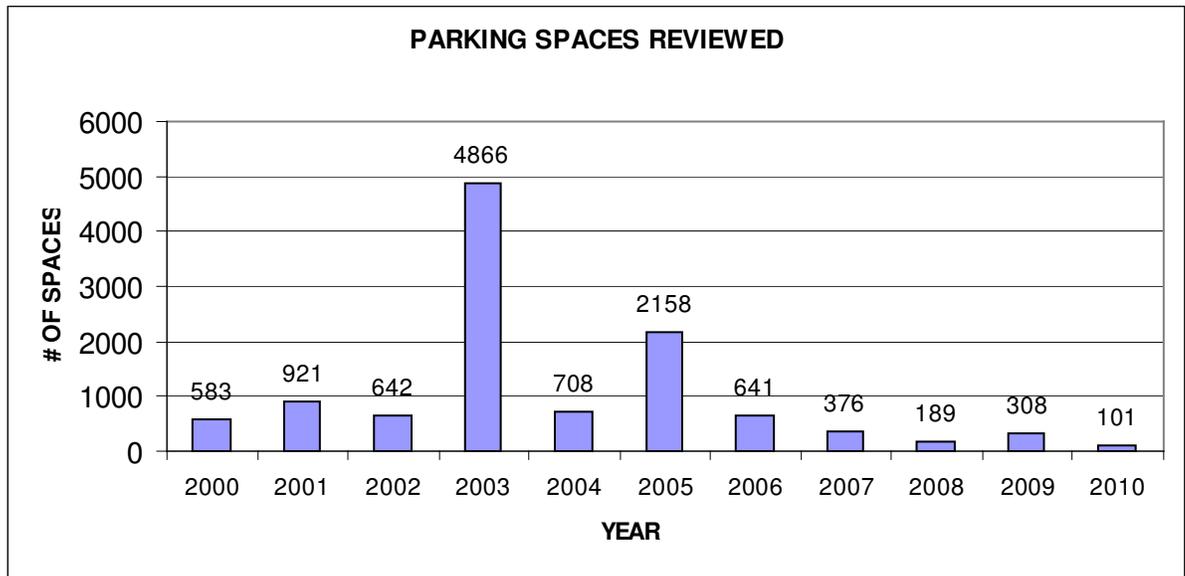
The data charts that follow compare the level of development reviewed by the Planning Board over the specified time period:



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(10) Approval of Off-Street Parking Plan for “Good Friends II Restaurant”

Present Kevin Caldwell, Caldwell Architectural Associates

The Planning Director stated that this off-street parking plan is for a 44-seat restaurant at 734 State Road which already had an approved parking plan for an auto sales use. He noted that the 25 space parking facility as built complies with Section 16. The new restaurant use would only need 18 parking spaces. The only changes to the plan are to re-stripe, add appropriate signage, and provide a dumpster. Mr. Perry noted the revised plan does not adversely affect vehicular or pedestrian circulation and therefore can be approved.

Brief discussion ensued.

A motion was made by Mr. Haran, duly seconded by Mrs. Miller, and unanimously voted (5-0) to approve the Off-Street Parking Plan entitled “Good Friends II Restaurant” dated January 3, 2011 for property located at 734 State Road (Assessor’s Map 163, Lots 48 and 49). The site contains a parking facility previously approved by the Planning Board under Section 16 and built according to the approved plan. The proposed plan for Good Friends II Restaurant is consistent with the requirements of Section 16.207A in that the plan does not alter traffic flow and parking patterns remain generally the same. All proposed changes (striping and directional signage) meet the standards of Section 16. A building permit may be issued for the proposed restaurant based on the site plan.

Appointments

- (5) 7:15 P.M. – APPOINTMENT – Robert Pires: Discussion on road standards for Berkshire Street

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Present Mr. & Mrs. Robert Pires, 936 Tradewind Street

The Planning Director mentioned that the Planning Board took action on this request a year ago. However, Mr. Pires was unable to attend that meeting and wanted an opportunity to plead his case personally.

Discussion ensued with Mr. Pires who was hoping to persuade Board members to revise their previous recommendation on the pavement width for a proposed extension of Berkshire Street to service two house lots. He is proposing an 18 foot wide road rather than a 22 foot wide road in order to minimize disturbance to abutters.

During the course of discussion, the Chairman provided background information on how the Planning Board had met with the Fire Chiefs to develop a consensus on road standards for development in Town under the revised Subdivision Regulations. It was mentioned that if no more than two houses could ever use Berkshire Street, the approved road width could be reduced to 16 feet.

As a result of this evening's discussion, the Planning Board agreed if Mr. Pires could provide documentation from the Conservation Commission regarding the wetlands which would limit the number of potential house lots to no more than two; and submit another letter from Chief Arruda on the acceptable road width (if requesting less than 18 feet), the Planning Board would consider revising their previous recommendation.

(6) 7:30 P.M. – APPOINTMENT – Alan Heureux: Discussion of amendments to the approved OSRD Subdivision Plan entitled “Riverside Woods”

Present Alan Heureux, Boucher & Heureux, Inc.
Gary and Jo-Ann Bouchard, applicants

The Planning Director mentioned the Planning Board approved the Riverside Woods OSRD Subdivision Plan on November 15, 2010 with a number of conditions. However, in order to address the conditions of approval regarding the open space parking area, and after an exchange of ideas with various parties involved in this project, the applicant would like to amend the plan and move the open space access and parking area outside of the subdivision, with direct public access from Chase Road. Mr. Perry noted this would minimize potential conflicts of public access and the subdivision residents.

Lengthy discussion focused on the proposed amendments which would redesign the subdivision to add more protected open space to the subdivision, the relocation of the open space parking area and driveway to an area off Chase Road, changes to pedestrian access to open spaces and minor adjustments to lot lines, and whether a public hearing would be required for this amendment.

After some debate, all parties involved agreed that a public hearing to amend the approved subdivision should be held. The public hearing will focus only on the requested amendments.

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A motion was made by Mrs. Miller, duly seconded by Mr. Haran, and unanimously voted (5-0) to waive the filing fees and advertising fees related with the submission of this amendment.

Administrative Items

(11) Planner's Report

- The Planning Director was pleased that the developers of Lincoln Park were willing to incorporate his recommendations to improve the standards of the high density single-family subdivision. Mr. Perry reported that some of the improved standards were concrete sidewalks on both sides of the street, concrete curbing, an active recreation area, and decorative streetlights at intersections.
- Mr. Perry stated that Allendale Country Club is investigating limited development of the golf course. This would include possible OSRD ANR plans at the end of Ryder Street and also on Allen Street near the maintenance shed.
- The Select Board's office has asked if the Planning Board and Board of Appeals can meet on January 31st at 6:30 p.m. which is an off night for the Planning Board. All Board members expressed a willingness to attend but asked Mr. Perry to get more information on the subject matter.
- The new Building Commissioner, Paul Murphy, is now working for the Town.
- The issue of college students living at Stoneledge Road was raised. It was clarified that if the property is a legal duplex, four unrelated persons can live on each side not two on each side as stated at the Select Board's meeting.

(12) For Your Information/New Business

- Notice on Spring Annual Town Meeting
- Planning Staff timesheets
- Board of Appeals decisions

The Chairman asked if there was any other business this evening. There was none. Mr. Sousa noted that the next Planning Board meeting is scheduled for January 24, 2011, in room #315, Town Office Building, 400 Slocum Road. He then called for a motion to adjourn.

A motion was made by Mrs. Miller, seconded by Mr. Haran, and unanimously voted (5-0), to adjourn this evening's regular meeting at 9:20 p.m.

Respectfully submitted,
Mrs. Joyce J. Couture
Planning Aide